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# Report of the Working Group on the Universal Periodic Review*

# Portugal

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April to 9 May 2014. The review of Portugal was held at the 5th meeting, on 30 April 2014. The delegation of Portugal was headed by Mr. Bruno Maçães, Secretary of State for European Affairs and Ms. Teresa Morais, Secretary of State for Parliamentary Affairs and Equality. At its 10th meeting, held on 2 May 2014, the Working Group adopted the report on Portugal.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Portugal: Brazil, the Philippines and the former Yugoslav Republic of Macedonia.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Portugal:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/PRT/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/19/PRT/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/PRT/3).

4. A list of questions prepared in advance by Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Portugal through the troika. Those questions are available on the extranet of the UPR.

# I. Summary of the proceedings of the review process

## A. Presentation by the State under review

5. The delegation said that Portugal strongly supported the UPR process, as a unique and ambitious tool of the Human Rights Council. The outcome of the 2009 review and its implementation had broadly contributed to the improvement of the human rights situation in Portugal. The country's longstanding commitment to the promotion and protection of human rights should be underscored.

6. Despite the current economic and financial crisis, the Government of Portugal was deeply committed to implementing its human rights obligations and had adopted measures to minimize the impact of austerity, particularly on the most vulnerable persons. The adoption of the Social Emergency Programme in October 2011 should be highlighted.

7. It was a matter of pride for Portugal to inform the Working Group that all of the 86 recommendations accepted in 2009 had been implemented, or were being implemented.

8. The National Human Rights Commission had been established in April 2010. It enhanced coordination and information-sharing, bringing together Government and civil society in promoting an integrated approach to human rights. The Commission had proved its efficiency by making possible the timely submission of all national reports on

implementation to the United Nations treaty bodies. Portugal currently had no reports overdue.

9. Portugal was a party, without reservations, to eight core United Nations human rights treaties and their optional protocols, of which it had ratified a number since 2009.

10. It should be underscored that Portugal had implemented its national action plans on gender equality, domestic and gender-based violence, trafficking in human beings, female genital mutilation, the integration of Roma (Cigano) communities, United Nations Security Council resolution 1325 (2000) on women, peace and security, and persons with disabilities.

11. The immigration integration policies pursued by Portugal had received international recognition in the *2010 World Migration Report* and had been ranked second in the Migration Integration Policy Index in 2010 and 2011.

12. The delegation responded to the questions submitted in advance by Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland as follows.

13. In connection with its candidacy for the Human Rights Council (2015-2017), Portugal was willing to build bridges and foster dialogue with a view to achieving the universality of human rights. It was committed to the promotion and protection of all human rights, drawing inspiration from the fact that it had been one of the first countries in the world to abolish the death penalty, and was building on its multilateral experience on economic, social and cultural rights, and the rights of women, children and youth.

14. Portugal strongly supported the International Criminal Court and was deeply committed to cooperating with it. Portugal had amended its national Constitution prior to ratifying the Rome Statute, and had also amended the relevant national criminal legislation. The internal process for the ratification of the Kampala amendments was ongoing.

15. Reform of the judiciary system, aimed at making the court system more efficient, faster and accessible, was under way. The administrative reorganization of the judicial system would be concluded by the end of 2014.

16. Under Portuguese law on criminal procedure, pre-trial detention was deemed to be a coercive measure of an exceptional nature. It was limited to specific cases and could not exceed a period of between 4 and 18 months. In cases of terrorism, violent or highly-organized crime or crimes punishable by more than 8 years' imprisonment, the maximum time period in detention could vary from six months to two years. If a criminal investigation had not reached a conclusive result within those time periods, detainees were released and entitled to claim compensation from the State. There were specific detention facilities for pre-trial detainees.

17. Training on human rights was provided on an ongoing basis to law enforcement officials and members of the security forces in order to prevent ill-treatment and abuse. All allegations of ill-treatment and abuse were duly investigated and those found responsible were punished.

18. It should be emphasized that the use of Taser weapons was subjected to very strict rules. The law enforcement forces possessed a mere 76 Tasers, and the use of such weapons in prisons had been suspended since 2010.

19. Under the inclusive "More and Better Education" policy, education was free and compulsory up to the age of 18 years. All children, including those of undocumented immigrants, had access to the national education system. There were no segregated schools or classes, and special attention was given to disadvantaged groups.

20. The National Strategy for the Integration of Roma Communities 2013-2020, adopted in 2013, aimed to achieve the full and effective integration of Roma communities in Portuguese society by 2020.

21. Immigrant communities had full access to public services. All immigrants, regardless of their status, had access to the national health system. A number of National Support Centres for Migrants offered a wide range of services to facilitate the integration of immigrants.

22. Portugal had placed emphasis on the importance of maintaining an open dialogue with civil society in recent years. The National Human Rights Commission met regularly with civil society. Non-governmental organizations (NGOs) were systematically involved in the preparation of reports to the United Nations treaty bodies, as well as in the UPR process.

23. Portugal was currently preparing an initiative on corporate social responsibility, which included a specific chapter on the United Nations Guiding Principles on Business and Human Rights.

24. The Second National Plan against Trafficking in Human Beings had had a 91 per cent implementation rate. The Third National Plan against Trafficking in Human Beings 2014-2017 was being implemented. Action against trafficking in human beings had focused on increasing the number of multidisciplinary teams and providing training to security forces, labour inspectors and the judiciary, as well as on improving mechanisms for the detection of potential victims.

25. Pursuant to a European Union directive, Portugal had broadened the definition of the crime of human trafficking to include all forms of exploitation. Legislation on combating organized crime and on covert operations had also been amended to apply to human trafficking. The low number of prosecutions and convictions for that crime was not the result of a lack of resources, but arose from the difficulty in proving crimes of great complexity, often committed by organized cross-border actors. That issue had been addressed by intensifying training for all those involved in investigations and for the judiciary. In 2013, the number of shelters for victims of human trafficking had been increased from one to three. All those shelters were run by State-funded NGOs.

26. The Fourth National Plan against Domestic Violence had been fully implemented and the Fifth National Plan to Prevent and Combat Domestic and Gender-based Violence 2014-2017 was already under way. The Fifth National Plan integrated the Third Programme of Action for the Prevention and Elimination of Female Genital Mutilation 2014-2017, and invested more heavily in prevention, on inter-service cooperation and victim support.

27. Strenuous efforts were being made to disseminate information on gender violence and to raise awareness among potential victims, as well as the community at large. European Union data indicated that awareness of domestic violence in Portugal was significantly above average. The country's capacity to provide psychosocial support had increased; in addition, security forces were given training on appropriate ways of handling domestic violence cases, and on proactive identification of situations of domestic violence.

28. Portugal had greatly increased its capacity to protect victims of domestic and gender-based violence. Not only had the remote assistance service been broadened, but the use of surveillance measures, namely, electronic monitoring bracelets for offenders, had increased; safe transportation for victims and their children was provided; support and shelter capacity had been reinforced, especially for emergency situations; and, lastly, a safe and supportive process was in place for those leaving shelters. A municipalities' network and the Institute for Housing and Urban Rehabilitation facilitated access to housing. The

Fifth National Plan reinforced prevention, and enhanced awareness-raising activities with a focus on the most vulnerable victims, including elderly persons and women in rural areas.

29. With regard to gender equality, according to the Organization for Economic Cooperation and Development 62 per cent of posts in the Portuguese civil service were occupied by women. Women occupied 38 per cent of high-ranking positions and 58 per cent of middle-ranking positions. A Council of Ministers resolution issued in 2012 required all State-owned companies to approve and implement an equality plan. The Framework Law for Regulatory Entities of 2013 provided that the position of Chairperson of the Board of Directors of such entities should be occupied by men and women in rotation, and required a minimum of 33 per cent female or male representation on such boards.

30. Wage discrimination based on gender was prohibited in Portugal. The average wage gap between men and women in Portugal, according to Eurostat, was 15.7 per cent in 2012, below the European Union average. A recent report commissioned by the Government on women in the labour market would be discussed with social partners. In March 2013, a Council of Ministers resolution had been issued, requiring the preparation of reports on pay disparities between men and women, in addition to action to combat those disparities.

## B. Interactive dialogue and responses by the State under review

31. During the interactive dialogue, 74 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

32. The Czech Republic commended the efforts of Portugal to improve the access of Roma to education through the National Strategy for the Integration of Roma Communities, and drew attention to the challenges involved in addressing the underlying social factors and ensuring the full cooperation of all stakeholders.

33. Ecuador commended the establishment of the National Human Rights Commission. It appreciated the priority given by Portugal in recent years to action against gender-based violence, human trafficking and female genital mutilation, in addition to action for the integration of Roma communities and in support of migrants, persons with disabilities and older persons.

34. Italy commended the action taken by Portugal to prevent trafficking in human beings and violence against women. It noted that the adoption of rigorous budgetary measures in response to the economic crisis might have undermined the enjoyment of economic, social and cultural rights by the most vulnerable children and women.

35. Finland asked about measures taken to minimize the impact of austerity policies on the Roma community. Noting treaty body recommendations that greater attention should be paid to the tendency not to report domestic violence owing to traditional attitudes, it asked for further information on measures to investigate cases of domestic violence effectively and the impact thereof on women belonging to minority groups.

36. France welcomed the ratification by Portugal of the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It commended the action being taken to counter racism and to address prison overcrowding. Since domestic violence persisted despite the measures introduced by the Government, France asked whether any additional measures were envisaged to tackle the problem.

37. Germany praised Portugal for the situation of human rights in the country and welcomed, in particular, the recently initiated judicial reform. It requested further information on the impact of the National Strategy for the Integration of Roma

Communities, in particular with regard to improvements in living conditions and access to social services, and on the main challenges.

38. Ghana commended Portugal for having issued a standing invitation to all special procedures. Referring to concerns expressed by the Committee on the Elimination of Racial Discrimination regarding the limited number of complaints of racial discrimination, Ghana asked whether Portugal had assessed the impact of initiatives to promote the integration of immigrants and to fight racism and racial discrimination. It enquired about the findings of the Immigration Observatory study on racist speech, and asked whether Portugal intended to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

39. Greece commended the efforts of Portugal to promote and protect economic, social and cultural rights and asked about recent policies in that regard. It requested further information on measures to combat discrimination against women in the workplace and their participation in public life.

40. The Holy See acknowledged improvements in areas such as the prevention of human trafficking and child labour, as well as racial discrimination, intolerance and xenophobia and the integration of immigrants and ethnic minorities. It commended Portugal on its ratification of a significant number of human rights and humanitarian instruments.

41. Hungary welcomed the steps taken to expedite the investigation of crimes of domestic violence and the establishment of special teams for that purpose. It was concerned that the right of access to a lawyer was not effective for many detainees, and noted that the prison population had increased significantly and that juveniles were frequently accommodated with adults.

42. India enquired about measures taken to ensure accountability in the prevention of discriminatory conduct and manifestations of racist stereotypes and prejudice by law enforcement officials. It asked whether the Social Emergency Programme addressed the impact of austerity measures on the poorest and most vulnerable groups.

43. Indonesia welcomed the action being taken by Portugal to combat racism and discrimination and to promote the integration of migrants and marginalized groups. It noted that the National Strategy for the Integration of Roma Communities included measures in the areas of education, health, housing and employment, and comprised a cross-cutting dimension.

44. Iraq commended the measures and plans adopted by Portugal to end violence against women and children. It also welcomed the action taken to align national legislation with recently ratified international human rights instruments.

45. Ireland requested further information on the regular interaction between the National Human Rights Commission and civil society. While welcoming the measures taken to address discrimination against children, it noted that instances of discrimination continued to occur in practice. It considered that the criminalization of defamation was an inappropriate restriction on freedom of expression.

46. The Islamic Republic of Iran expressed concern about the increase in racist websites, particularly those targeting Roma and immigrants, and the increase in cases of discrimination, harassment and abuse of members of ethnic minorities. In addition, it expressed concern about the excessive use of force by law enforcement officials, and allegations of torture and other forms of ill-treatment.

47. Estonia encouraged Portugal to step up its efforts to ensure that the education system was inclusive, particularly for immigrants, ethnic minorities, girls and women. It welcomed

the fact that financial austerity measures had not disproportionately affected human rights structures. It encouraged Portugal to continue to promote human rights education, training and awareness-raising.

48. Kenya welcomed the ratification by Portugal of a number of human rights instruments and policy frameworks and encouraged it to ensure their effective implementation. It noted that certain human rights mechanisms had expressed concern with regard to disparities in the enjoyment of human rights by some minority groups.

49. Kyrgyzstan commended the Government of Portugal for its recognition of human rights as an essential component of socioeconomic development strategies. It welcomed the ratification by Portugal of a wide range of human rights and humanitarian treaties, as well as the establishment of the National Human Rights Commission. It commended Portugal on the progress achieved in protecting and promoting migrant rights.

50. Libya commended the action taken by Portugal to implement the recommendations of the first UPR and the establishment of the National Human Rights Commission. It welcomed the steps taken to combat racial discrimination and to promote tolerance.

51. Malaysia commended the role of the National Human Rights Commission in coordinating and sharing information on human rights issues with the relevant stakeholders. It encouraged the Government to implement the human rights policies and programmes that it had adopted. It highlighted measures to combat trafficking in persons and to protect victims.

52. Mauritania commended the action taken by Portugal to combat violence against women and to eliminate racial discrimination, and praised the work of the High Commissioner for Immigration and Intercultural Dialogue.

53. Mexico welcomed the establishment of the National Human Rights Commission and commended its impressive efforts to submit pending reports to the treaty bodies. It noted the progress made in combating racial discrimination and discrimination based on sexual orientation, and the inclusion of such issues in the National Plan for Equality.

54. Montenegro welcomed the enhancement of the institutional and legislative human rights framework, the development of policy instruments and the establishment of the National Human Rights Commission. Noting that immigrants, foreigners and ethnic minorities continued to face discrimination, it enquired about the action taken to prevent further discrimination against vulnerable groups.

55. Morocco commended the importance attached to the prevention of racist and discriminatory acts targeting migrants and ethnic groups. It welcomed the action taken by the High Commissioner for Immigration and Intercultural Dialogue, particularly the "Promotion of intercultural life at local level" initiative. It also commended the measures taken to promote economic, social and cultural rights.

56. Mozambique noted that Portugal accorded priority to economic, social and cultural rights and the right to education. It commended the fact that Portugal had implemented 97 per cent of the recommendations from the first UPR and noted that none of its periodic reports to the human rights treaty bodies were overdue.

57. Namibia noted that the National Human Rights Commission had strengthened dialogue, consultations and information-sharing with all human rights stakeholders in Portugal and with the country's international strategic partners. It noted with satisfaction that Portugal had ratified eight core human rights treaties and related optional protocols since 2009.

58. The Netherlands commended Portugal on its forward position on equal rights for lesbian, gay, bisexual and transgender persons, as reflected in the Gender Identity Act. It

expressed concerns about the status of minorities, including Roma, particularly their access to public services, and about the duration of legal procedures and the conditions of detainees.

59. Nicaragua noted that Portugal had made considerable progress since the first UPR in the fight against racism and discrimination, in promoting human rights education and in countering domestic violence. In addition, it noted that Portugal played a leading role in promoting economic, social and cultural rights.

60. Norway expressed concern about the number of deaths among women as a result of domestic violence. It drew attention to overcrowding in prisons, allegations of ill-treatment of patients in a psychiatric prison hospital and concerns regarding high rates of suicide among inmates. A number of judgments handed down by the European Court of Human Rights had not been fully executed.

61. The delegation of Portugal recalled that the National Strategy for the Integration of Roma Communities 2013-2020 incorporated numerous different strands of action aimed at promoting Roma rights. Under the Strategy, a survey had been conducted among municipalities to ascertain the living or housing conditions of those communities. The survey had indicated that 7 per cent of social housing was occupied by members of Roma communities, although they represented a mere 0.5 per cent of the total population. As far as education was concerned, Portugal was seeking to ensure that Roma communities had access to education of a good quality at all levels by means of various programmes, such as a programme aimed at raising awareness of the importance of learning and achieving good grades.

62. With regard to prison conditions, efforts had been made to rehabilitate and build prison facilities despite constraints in public funding arising from the commitments undertaken in the framework of the Economic and Financial Adjustment Programme. The need to promote alternative measures to imprisonment, such as home arrest with electronic monitoring, should be underscored, and legislation on that issue had been adopted in 2010. Juvenile offenders were housed in separate accommodation from adult prisoners. Legal aid was guaranteed to detainees as provided for under the Constitution and prisoners could meet with their defence lawyers in private.

63. Economic and social conditions in the context of the financial crisis had been addressed under the Social Emergency Programme adopted in 2011, and under other incentive programmes for the most vulnerable groups. Benefits and pensions had been increased and assisted housing had been provided for young people, among other measures. Maintaining support for NGOs had been prioritized and a number of programmes had been funded. Support for solidarity institutions had increased considerably between 2009 and 2013, despite the financial crisis.

64. While Portugal was unable to ratify the Migrant Workers Convention as a member of the European Union, the rights of migrant workers were strongly protected under its national laws.

65. The training of law enforcement officials was a priority for Portugal, which had established human rights training centres and had incorporated human rights in the curriculum of the national police force.

66. Both of the current national action plans for equality and combating violence against women envisaged specific measures for particular vulnerable and minority groups. The increase in the number of domestic violence complaints was a positive sign of greater awareness of the issue, which itself was a result of public campaigns and of specific training provided to law enforcement officials. A number of efforts had contributed to the

increase in complaints, particularly efforts to enable and empower women to make complaints. The greatest concern was reserved for cases that did not come to light.

67. The Fifth National Plan for Gender Equality, Citizenship and Non-discrimination provided for enhanced measures relating to gender equality in the labour market. In addition, existing bodies such as the Commission for Equality in Labour and Employment were able to receive complaints. Complaints about work conditions could be submitted to the Labour Inspectorate, which was able to apply the necessary sanctions.

68. The Parity Act of 2006 had helped to increase the participation of women in public life through the introduction of a quota policy. The increase was evident in the relevant statistics.

69. In connection with human trafficking, a system for flagging and identifying victims had helped to tackle the phenomenon more effectively. The current Third National Action Plan to Prevent and Combat Trafficking in Human Beings also targeted labour exploitation of and trafficking in children. Efforts to address the issues of child labour and of street children had produced tangible results.

70. Paraguay welcomed the establishment of the National Human Rights Commission and the appointment of an Ombudsman. It commended Portugal on the elaboration of policies to counter racial discrimination and encouraged it to continue taking resolute action to prevent discrimination against immigrants and ethnic minorities in access to housing, employment, education and health care.

71. The Philippines welcomed the adoption by Portugal of human rights policy instruments, including national plans to combat human trafficking and gender-based violence and to integrate immigrants and the Roma community. It urged Portugal to promote and protect the human rights of migrants in addition to those of its own people.

72. Poland expressed appreciation for the efforts of Portugal to comply with recommendations on equality and non-discrimination, and commended it on measures taken to combat domestic violence, including the adoption of a national plan.

73. Qatar welcomed the adoption by Portugal of comprehensive plans and strategies for human rights and the establishment of the National Human Rights Commission. It commended Portugal on the adoption of the Second National Plan against Trafficking in Human Beings and on legislative amendments expanding the concept of trafficking in persons to include begging, slavery and exploitation in other criminal activities.

74. The Republic of Korea expressed appreciation for the endeavours of Portugal to improve human rights, combat discrimination, prevent violence against women, promote the rights of the child and establish the National Human Rights Commission. Portugal had displayed outstanding leadership in promoting human rights internationally. It invited Portugal to pay closer attention to the negative impact of austerity measures on the most vulnerable groups.

75. The Republic of Moldova commended Portugal on its commitment to human rights and its engagement with international human rights mechanisms. It expressed appreciation for the establishment of the National Human Rights Commission, and invited Portugal to elaborate on the objectives and priorities of the Second Plan for Immigrant Integration. It noted the low number of convictions for human trafficking.

76. The Russian Federation expressed concern about deteriorating detention conditions, reduced safety resulting from cuts in the number of prison officers, and prison overcrowding. It also expressed concern about the duration of legal proceedings, and noted that trafficking in human beings continued to be an acute problem. It commended the campaign to combat domestic violence.

77. Senegal praised the progress made by Portugal in implementing the recommendations of the first UPR. It welcomed the adoption of policies that promoted the economic, social and cultural rights of the elderly and of persons with disabilities.

78. Serbia welcomed the progress made by Portugal in implementing the recommendations of the first review cycle. It commended the establishment of the National Human Rights Commission and the ratification of international human rights instruments including the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. It acknowledged the efforts of Portugal to combat racism and promote the socioeconomic integration of migrants.

79. Sierra Leone commended the establishment of the human rights mechanism. It was important to ensure that austerity measures did not adversely affect vulnerable groups or the implementation of existing human rights obligations. Sierra Leone applauded the call by Portugal for States to ratify the International Covenant on Economic, Social and Cultural Rights.

80. Slovakia appreciated the commitment of Portugal to human rights and the rights of the child and commended it on its ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and other international human rights instruments. It welcomed the establishment of the National Human Rights Commission, and asked what further human rights indicators would be developed by that body.

81. Slovenia welcomed the progress made by Portugal in combating violence against women and, in particular, the legislative amendments introduced in order to extend the concept of domestic violence and the measures taken to reduce social acceptance of domestic and gender-based violence. It expressed appreciation for positive developments in the field of sexual orientation and gender balance.

82. South Africa encouraged Portugal to continue sponsoring Human Rights Council resolutions and welcomed the establishment of the National Human Rights Commission and human rights policy instruments on equality, trafficking, female genital mutilation and immigrant integration.

83. Spain commended Portugal on its efforts to combat domestic violence through the adoption of national plans. Although Portuguese law guaranteed equal pay for men and women, gender disparities persisted. Despite the fact that the national education system was highly inclusive, Roma continued to suffer discrimination.

84. The State of Palestine commended the efforts of Portugal to implement previous UPR recommendations. It welcomed the innovative measures taken to promote the integration of vulnerable communities and to fight racial discrimination. It also welcomed legislative and other measures aimed at combating domestic violence.

85. Thailand expressed appreciation for the implementation by Portugal of the recommendations of the first UPR and its ratification of human rights instruments. It commended Portugal on initiatives concerning non-discrimination against children in respect of access to education and health care, including migrant children in irregular situations. It commended the focus of Portugal on gender equality and on combating violence against women.

86. The former Yugoslav Republic of Macedonia welcomed the ratification by Portugal of international instruments and the establishment of the National Human Rights Commission. It expressed appreciation for the efforts of Portugal to promote economic, social and cultural rights, and its creation of a social emergency plan.

87. Timor-Leste noted the positive steps taken by Portugal to promote human rights, and its efforts to implement the recommendations of the previous UPR. It commended Portugal on maintaining its human rights obligations throughout the financial crisis, and on its creation of a social emergency plan for vulnerable groups.

88. Tunisia noted the progress made by Portugal since the first UPR review, in particular the creation of a National Human Rights Commission, the ratification of international and regional instruments and the adoption of strategies and action plans to promote human rights. Tunisia encouraged Portugal to strengthen efforts to combat racism and xenophobia.

89. Turkey welcomed the establishment of the Portuguese National Human Rights Commission. It commended Portugal on the steps taken to overcome the economic crisis and asked what measures were in place to improve prison capacity, following the easing of the financial crisis. It asked what steps had been taken to combat racism and discrimination, especially for Roma and immigrants, and what assistance was provided to victims of human trafficking.

90. Ukraine requested further information on the Third Plan for Immigrant Integration and on experience in implementing previous such plans. It asked whether immigrants were subject to professional constraints and enquired about the impact of the economic crisis on immigrant employment, in addition to putting other questions concerning equal pay for immigrant workers.

91. The United Arab Emirates commended Portugal on its implementation of all of the accepted recommendations from the first UPR and on the progress achieved in respect of social justice. It requested further information about the results of the Social Emergency Plan, launched in October 2011.

92. The United Kingdom of Great Britain and Northern Ireland welcomed the establishment of the National Human Rights Commission and the commitment of Portugal to ratifying human rights treaties, including the Optional Protocol to the Convention against Torture. It was pleased to note the fourth and fifth national plans against domestic and gender-based violence, and asked what measures had been taken to reduce social acceptance of those forms of violence.

93. The United States of America commended Portugal for its strong human rights record, although it expressed concern at reports of excessive use of force by the police and of abuse and mistreatment of prisoners by prison guards. It expressed concern that compulsory arbitration should only be imposed on workers and employer organizations in cases of acute national or local crisis, consistent with the principle of voluntary negotiation as set out in the International Labour Organization (ILO) Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

94. Uruguay noted the ratification by Portugal of international human rights instruments and its introduction of policies in numerous fields, as well as its establishment of an Ombudsman as a mechanism for the prevention of torture. Uruguay wished to learn more about the assistance provided to child victims of trafficking and how Portugal had maintained economic, social and cultural rights during the economic crisis.

95. Uzbekistan expressed concern regarding manifestations of xenophobia and racism as well as discrimination against immigrants and foreigners, particularly Roma and persons of African descent, in education, health care, employment and housing. There had also been

allegations of abuse and ill-treatment by police officers and prison guards, and reports of overcrowding and poor health conditions in prisons, high detainee mortality rates and drug abuse by detainees.

96. The Bolivarian Republic of Venezuela commended Portugal on the measures taken to promote inclusive education despite the economic crisis, and on the introduction of the fourth and fifth plans against domestic and gender-based violence. It expressed concern about the discrimination suffered by migrants, persons of foreign origin and ethnic minorities and noted that there had been an increase in racism and racial discrimination.

97. Viet Nam commended the commitment of Portugal to promoting human rights, especially against the backdrop of the economic crisis. It appreciated the adoption of the Social Emergency Plan to support vulnerable individuals. It noted the achievements of Portugal in combating discrimination against women, ethnic minorities and migrants.

98. Albania commended the ratification by Portugal of human rights instruments, and welcomed the legal amendments adopted extending the concept of domestic violence. It commended Portugal on the adoption of a national strategy for the integration of Roma communities, prepared following broad consultation.

99. Algeria welcomed the efforts of Portugal to implement the recommendations of the previous UPR, including by the creation of a National Human Rights Commission. It noted that Portugal had also ratified international treaties and adopted domestic policies on combating violence against women and human trafficking, and that it had elaborated a disability strategy

100. Angola welcomed the continuing commitment of Portugal to human rights, and the creation of the National Human Rights Commission. It noted the adoption by Portugal of measures to promote and protect the rights of immigrants and ethnic minorities and to combat racial discrimination, and commended the introduction of the Second Plan for Immigrant Integration and the National Strategy for the Integration of Roma Communities 2013-2020.

101. Argentina commended Portugal on its ratification of international instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance, and on its introduction of the Second Plan for Immigrant Integration. Argentina would be particularly interested to learn about the initiatives taken to combat racial discrimination and to integrate migrants and marginalized groups.

102. Australia welcomed the priority given by Portugal to the prevention and investigation of domestic violence and noted the adoption of the national plans against domestic and gender-based violence. It expressed concern about reports of increased domestic violence against elderly people and of ill-treatment of persons detained by the police and in prison. It acknowledged the efforts expended by Portugal in order to address the discrimination and societal disadvantage experienced by Roma communities.

103. Bangladesh said that Portugal was known for its commitment to human rights. It commended Portugal for hosting migrants and for promoting managed migration, which provided a good example for other countries in the region. Nevertheless, reports of ill-treatment of migrants continued to give cause for concern, as did the possibility that the financial crisis could give rise to an increase in poverty and racial discrimination.

104. The Plurinational State of Bolivia recognized the progress made by Portugal since the first UPR cycle, and noted its ratification of international human rights treaties. It encouraged Portugal to continue to strengthen the protection of human rights through its institutions, standards and public policies.

105. Brazil expressed appreciation for the ratification by Portugal of the Optional Protocol to the Convention against Torture in 2013, and for the appointment of an Ombudsman as a national preventive mechanism. It welcomed the measures taken to combat domestic violence. The innovative drug policy of Portugal, founded on values of humanism and participation, was noteworthy. Brazil urged Portugal to strive to ensure that crises did not affect vulnerable groups. Cuts to the water supply in Lisbon gave cause for concern.

106. Bulgaria welcomed the efforts of Portugal to implement recommendations from the first UPR cycle. It noted that combating violence against women and domestic and gender-based violence were priorities for Portugal, and expressed appreciation for the introduction of legislative amendments to extend the concept of domestic violence.

107. Cabo Verde noted that Portugal had created a national committee for coordination and follow-up in respect of the plans and measures put in place as a result of its accession to international human rights instruments. It commended Portugal on the implementation of recommendations made during the first UPR cycle, and on the priority given to combating gender-based and domestic violence and to human rights education.

108. Canada asked what the specific results of the Fourth National Plan against Domestic and Gender-Based Violence 2011–2013 had been, what progress was under way for the fifth iteration of the plan (2014–2017) and what specific benchmarks had been identified. It welcomed the introduction of measures designed to improve human rights, including the establishment of a National Human Rights Commission and enhanced dialogue with civil society.

109. Chile appreciated the efforts made by Portugal to improve human rights, to minimize the effects of the economic crisis and to accede to international human rights instruments. It noted the creation of the National Human Rights Commission, which had improved coordination between public authorities and strengthened dialogue with civil society, and the measures taken to reduce early school leaving rates.

110. China recognized the efforts made by Portugal to deal with the impact of the international financial crisis on its economic and social development, and to guarantee the rights of vulnerable groups. Portugal had formulated national plans to combat domestic violence and human trafficking and to ensure access to education for all children. China expressed the hope that Portugal would continue to combat racism and support marginalized groups.

111. Costa Rica congratulated Portugal on its efforts to reach and maintain the highest standards in human rights, despite economic difficulties. It welcomed the creation of the National Human Rights Commission, the ratification by Portugal of the Optional Protocol to the Convention against Torture and its efforts to introduce policies on migrants and to combat racism and discrimination.

112. Côte d'Ivoire noted the action taken by Portugal since the previous UPR, including setting up the National Human Rights Commission. It welcomed the policies introduced to combat discrimination and racial and religious hatred and to promote the integration of minorities and migrants, in addition to the measures taken to combat domestic violence, to protect children and to improve the situation of persons with disabilities.

113. Egypt commended Portugal on the launch of the Programme of Action for the Elimination of Female Genital Mutilation and on increasing capacity to prosecute in cases of violence against women. It noted the concerns of the Committee on the Elimination of Racial Discrimination about racist and xenophobic speech. Egypt invited Portugal to share its best practices in ensuring respect for economic, social and cultural rights and in

preventing retrogression at times of economic decline. It also invited Portugal to comment on best practices and challenges relating to the enjoyment of human rights by young people.

114. The Democratic Republic of the Congo noted the efforts expended by Portugal to implement recommendations from the first UPR, including by creating the National Human Rights Commission and other institutions and ratifying international human rights instruments. Portugal had promoted human rights education, taken action against racism and domestic violence and promoted social integration for migrants. The Democratic Republic of the Congo asked what the impact of the economic crisis had been on the implementation of the recommendations.

115. The delegation, responding in brief to a number of questions, said that the number of short-term employment contracts for women was falling in comparison with the number for men. Female participation in the labour market in Portugal was the highest in Europe. Despite the financial crisis, the difference in employment rates between men and women was less than in 2008.

116. Portugal was in compliance with the recommendations of the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe and had introduced the relevant amendments to the Criminal Code. The national legislation was fully compliant with the European Union directive on human trafficking. Specific measures undertaken included awareness-raising activities and campaigns targeting the most vulnerable groups, particularly children. The number of protection teams and centres had been increased, despite the economic crisis.

117. In response to concerns expressed relating to domestic violence, actions to shed light on hidden violence in the family and to protect children and the elderly should be highlighted. A joint campaign proposed by Portugal, entitled "I stand up to violence" (*Contra a violência eu dou a cara*), had been implemented throughout all Portuguese-speaking countries. Never before had there been so many measures to protect victims. The number of convictions for domestic violence was increasing year on year. There were 119 shelters for victims of domestic violence and 132 welcome and care centres providing victims with social, psychological and legal support in line with the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. A further 113 places had been added for the emergency reception of victims.

118. Women represented 5.6 per cent of the prison population and were accommodated under appropriate conditions. Pregnancy and birth were supported, and facilities for children up to the age of 3 years were available. Portugal had had national plans to address domestic violence since 1999. The measures envisaged under the current plan included increasing the capacity of local authorities to prevent violence, and programmes to prevent perpetrators from reoffending.

119. The importance of human rights indicators should be underscored. As suggested by OHCHR, Portugal had already developed national indicators on the right to education and the right to liberty and security of the person. It should be noted that the Ombudsman's budget had been maintained, and would continue to be maintained, despite the financial crisis. In respect of action plans, it should also be recalled that one of the aims of the creation of the National Human Rights Commission was specifically to ensure coordination and coherence in the relevant sectorial action plans.

120. In connection with access to education, particularly for the most vulnerable, it should be noted that more opportunities were being provided for lifelong learning for adults over 55 years of age, particularly those with disabilities. Moreover, the Government had invested in complementary support, so that children with special needs could attend regular schools without segregation.

121. In connection with questions related to racism and discrimination against immigrants, the delegation said that Portugal wished to address racism in its totality without singling out any group. Those determined to have perpetrated acts of discrimination were liable to criminal prosecution under the Constitution, and racist motivation was addressed in the Criminal Code, where it could be considered an aggravating circumstance. Two plans to combat discrimination against migrants had been implemented and the results measured in statistical terms. In addition, measures such as the establishment of the Immigration Observatory had been taken.

122. With regard to the issue of discrimination against migrants in employment, the burden fell on the employer to prove the absence of discrimination in cases of complaint. Discrimination was categorized as a crime and the authorities could provide the necessary compensation to victims. Special services for unemployed immigrants, including vocational training and programmes, facilitated the social integration of migrants.

123. The existing law respected the principle of non-refoulement of refugees and asylum seekers. In practice, that meant that no one could be removed from Portuguese territory before a final judicial decision had been handed down in the case. Asylum requests from minors were submitted immediately to the family courts, and a centre for refugee children housed them.

124. The current review was being held at a time when Portugal was going through a deep economic crisis. It was hoped that the country's efforts to mitigate the effects of the crisis on vulnerable groups had been demonstrated. The Government and the National Human Rights Commission would do everything possible to implement the accepted recommendations, and would submit a mid-term report as part of the UPR process. The UPR mechanism played a positive role in the achievement of human rights worldwide, and the implementation of its recommendations would be felt in Portugal during the coming four years.

## II. Conclusions and/or recommendations**

125. **The recommendations formulated during the interactive dialogue listed below enjoy the support of Portugal:**

125.1 **Ensure that civil society representatives are accorded full and active participation in follow-up activities to the universal periodic review (United Kingdom of Great Britain and Northern Ireland);**

125.2 **Harmonize its domestic laws in order to give effect and prominence to international human rights treaties (Namibia);**

125.3 **Continue efforts in the promotion and protection of economic, social and cultural rights (Greece);**

125.4 **Continue presenting initiatives aimed at promoting and protecting economic, social and cultural human rights (Qatar);**

125.5 **Continue to enhance engagement with its regional and international partners to strengthen its capacity for the protection and promotion of human rights (Philippines);**

125.6 **Continue to take measures in promoting women's participation in political affairs (Greece);**

** Conclusions and recommendations have not been edited.

125.7 **Make all efforts to increase its overseas development assistance to bring it more in line with the promised target of 0.7 per cent of gross national income, thus facilitating the promotion of human rights in poor countries (Sierra Leone).**

126. **The following recommendations enjoy the support of Portugal, which considers that they are already implemented or in the process of implementation:**

126.1 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania);**

126.2 **Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);**

126.3 **Continue its efforts in awareness and education on human rights (Morocco);**

126.4 **Continue strengthening measures towards equality, taking into account the situation of disadvantaged groups for which positive discrimination is recommended (Algeria);**

126.5 **Strengthen the actions which ensure the effective implementation of the legislation against discrimination, especially that affecting women immigrants and women members of minority groups (Argentina);**

126.6 **Continue its efforts to combat all forms of discrimination (Qatar);**

126.7 **Continue promoting gender equality in order to explicitly eliminate all forms of discrimination against women (the former Yugoslav Republic of Macedonia);**

126.8 **Continue efforts for the promotion of women's rights (Nicaragua);**

126.9 **Increase the policies which permit legislative provisions for non-discrimination between men and women in employment to be reflected in practice, especially in relation to differences in pay and the prevalence of temporary employment contracts among women (Paraguay);**

126.10 **Take measures to combat discrimination against women in recruitment, employment, career advancement and pay (Slovenia);**

126.11 **Continue providing the means necessary to avoid pay differences based on gender (Spain);**

126.12 **Adopt further measures to reduce the gender pay gap in all sectors of the economy (Viet Nam);**

126.13 **Strengthen preventive measures to combat all forms of racial discrimination (Algeria);**

126.14 **Eliminate all forms of discrimination against Roma, migrants and asylum seekers (Bangladesh);**

126.15 **Continue its efforts to combat racial discrimination, including through support to institutions charged with promotion and protection of human rights and fighting racial discrimination (Poland);**

126.16 **Continue to improve integration and fight racial discrimination against less-favoured communities, including by taking further measures to improve the access of immigrants, foreigners and ethnic minorities to adequate housing, education, public services and employment (State of Palestine);**

126.17 **Further ameliorate the integration process of immigrants and combat all forms of discrimination against them (the former Yugoslav Republic of Macedonia);**

126.18 **Take effective measures to prevent any form of discrimination and racism (Uzbekistan);**

126.19 **Strengthen measures to combat racial discrimination, in particular against Portuguese citizens of African descent (Senegal);**

126.20 **Condemn racist and xenophobic speech by politicians and promote tolerance and diversity (Bangladesh);**

126.21 **Continue work in the fight to eradicate racism, incitement to racial hatred and all forms of discrimination, especially against migrants (Plurinational State of Bolivia);**

126.22 **Further implement effective measures to prevent and prosecute manifestations of racism, racial discrimination and xenophobia, as well as to promote the human rights of vulnerable groups, including migrants, Roma and people of African descent (Brazil);**

126.23 **Step up monitoring of the Internet to prevent it from being used to disseminate racist or xenophobic comments and material, with a view to prosecuting the perpetrators of such acts (Islamic Republic of Iran);**

126.24 **Take effective measures to prevent and prosecute manifestations of racism, xenophobia and intolerance (Kyrgyzstan);**

126.25 **Condemn racist and xenophobic speech by politicians and promote tolerance and diversity (Kyrgyzstan);**

126.26 **Condemn more vigorously racist and xenophobic speeches made by political leaders and further promote tolerance and diversity (Tunisia);**

126.27 **Penalize the use of xenophobic and racist rhetoric and prohibit organizations which promote or incite to racial discrimination (Uzbekistan);**

126.28 **Reinforce the mechanisms for combating racism, racial discrimination, xenophobia and other forms of intolerance which affect migrants, foreigners and ethnic minorities (Bolivarian Republic of Venezuela);**

126.29 **Continue applying measures to combat trafficking in human beings, covering areas such as prevention, investigation, prosecution and punishment of perpetrators (Spain);**

126.30 **Continue to collect specific data and maintain efforts to standardize reporting and data collection concerning victims of domestic violence, including through the creation of a website and a database (Bulgaria);**

126.31 **Continue to apply measures to combat gender-based violence, including programmes of prevention which promote the elimination of gender stereotypes and the empowerment of women (Chile);**

126.32 **Continue preventing and combating violence against women, including domestic violence (Montenegro);**

126.33 **Continue efforts to reduce social acceptance of domestic and gender-based violence (Norway);**

126.34 **Adopt a national strategy in the field of domestic violence (Russian Federation);**

126.35 **Ensure that victims of domestic violence have access to adequate counselling and protection, including by the provision of shelters for women victims, and that acts are effectively investigated and perpetrators brought to justice (Sierra Leone);**

126.36 **Pursue its efforts aiming at preventing and combating gender-based violence, particularly by providing training, awareness campaigns and assistance to victims (Timor-Leste);**

126.37 **Continue the measures necessary to ensure that women victims of domestic violence and gender-based violence have access to effective means of prevention and protection and that perpetrators are brought to justice (Bolivarian Republic of Venezuela);**

126.38 **Ensure full implementation of its national plans against domestic and gender-based violence to effectively reduce social acceptance of violence against women, including domestic violence, promote equality between women and men, eliminate stereotypes and take measures to raise awareness of existing mechanisms to prevent and combat domestic violence, including by ensuring thorough investigation and prosecution of all acts of violence against women (Canada);**

126.39 **Adopt measures to continue combating domestic violence within the framework of the fifth National Plan, including through the establishment of effective procedures for reporting cases and combating stereotypes and misogynistic attitudes (Mexico);**

126.40 **Continue to take steps, in particular within the Action Plan, to combat and prevent violence and to ensure that victims have access to means of protection, that acts of domestic violence are effectively investigated and that perpetrators are brought to justice (Poland);**

126.41 **Continue to take steps, in particular within the national Action Plan against domestic violence, and ensure that victims have effective access to complaint mechanisms (State of Palestine);**

126.42 **Take further steps to combat and prevent domestic violence and ensure that victims have effective access to complaints mechanisms (Albania);**

126.43 **Continue strengthening its efforts to combat domestic violence in all its forms, especially facilitating access by victims to mechanisms for reporting cases (Spain);**

126.44 **Continue the efforts to improve the access to education for the children and youth from Roma communities as the United Nations Economic, Scientific and Cultural Organization has also suggested (Finland);**

126.45 **Continue to strengthen national policies for the promotion and protection of the rights of migrants, in particular to combat racial discrimination (Angola);**

126.46 **Secure equal access to public services for migrants and minorities, including Roma (Netherlands);**

126.47 **Create appropriate conditions for the full realization of the economic, social and cultural rights of Roma and people of African descent (Uzbekistan);**

126.48 **Pursue measures to include and protect minorities (Côte d'Ivoire);**

126.49 **Continue working for the inclusion of the rights of minorities and vulnerable groups in the social programmes promoted by the Government (Nicaragua);**

126.50 **Ensure the promotion of the economic, social and cultural rights of Roma, and the implementation of policies affecting them (Albania);**

126.51 **Take further steps to improve access to housing, education and employment for Roma communities (Australia);**

126.52 **Continue pursuing appropriate, efficient policies under the National Strategy for the Integration of Roma Communities aimed at further improving the access of Roma to education and, based on the evaluation of the impact of the existing policies, consider the adoption of additional measures (Czech Republic);**

126.53 **Ensure that all measures and policies affecting Roma communities are designed, implemented, monitored and evaluated with their full participation (India);**

126.54 **Continue its efforts in implementing the various measures in the areas of education, health, housing, employment and a cross-cutting dimension with a view to further promoting and protecting the rights of persons belonging to minorities and countering the discrimination and social exclusion faced by Roma communities (Indonesia);**

126.55 **Adopt special measures to alleviate and remedy disparities in the enjoyment of human rights affecting vulnerable groups, which include immigrants, foreigners and ethnic minorities such as the Ciganos and Roma communities (Kenya);**

126.56 **Continue concentrating efforts for the inclusion of pupils of Roma origin in the educational system (Spain);**

126.57 **Step up its effort in improving access to education for children from Ciganos and Roma communities and continue to combat racial stereotypes against those communities (Thailand);**

126.58 **Continue and strengthen educational measures which promote a more integrated system of education that favours migrants, ethnic minorities, women and girls and the Roma community in particular (Bolivarian Republic of Venezuela);**

126.59 **Continue its efforts in the promotion and dissemination of best practices in the sphere of intercultural dialogue (Morocco);**

126.60 **Continue to strengthen programmes of prevention of domestic violence, especially against children and elderly persons (Chile).**

127. **The following recommendations will be examined by Portugal, which will provide responses in due time but no later than the twenty-seventh session of the Human Rights Council, in September 2014:**

127.1 **Consider and concur with the recommendation of the Committee on the Elimination of Racial Discrimination to ratify the amendments to article 8, paragraph 6 of the International Convention on the Elimination of Racial Discrimination (Namibia);**

127.2 **Continue harmonizing its national laws with its obligations under international human rights law, with a view to giving priority in this regard to**

**the International Convention on the Elimination of Racial Discrimination (Egypt);**

127.3 **Rapidly complete the alignment of national legislation with the provisions of the Rome Statute of the International Criminal Court (Tunisia);**

127.4 **Fully align its national legislation with the Rome Statute, by incorporating provisions to cooperate promptly and fully with the International Criminal Court and ratify the Kampala amendments to the Rome Statute (Estonia);**

127.5 **Fully align its national legislation with the Rome Statute, through the incorporation of provisions to fully and promptly cooperate with the International Criminal Court (United Kingdom of Great Britain and Northern Ireland);**

127.6 **Expand the human rights education campaign to law enforcement officers, especially on the rights of women, children, the elderly and minorities (Viet Nam);**

127.7 **Ensure that adequate resources are allocated for the effective implementation of its comprehensive national human rights action plans (Philippines);**

127.8 **Reinforce the Ombudsman, as a national institution compliant with the Paris Principles, with legislative measures, human and financial resources (Uruguay);**

127.9 **Redouble its efforts to fight racial discrimination, including through support to relevant NGOs (Bangladesh);**

127.10 **Remain steadfast in pursuing its preventive and repressive programme to combat discrimination against migrants and asylum seekers (Democratic Republic of the Congo);**

127.11 **Consider drafting a national action plan on addressing the question of racism and racial discrimination faced by persons of African descent (Egypt);**

127.12 **Improve the effectiveness and accessibility of domestic remedies against racial discrimination (Islamic Republic of Iran);**

127.13 **Redouble its efforts to fight racial discrimination, including through support to relevant NGOs, and further recommend special measures for vulnerable groups, including Ciganos, Roma and people of African descent (South Africa);**

127.14 **Strengthen its efforts to combat racial discrimination, especially in the judicial system (Slovenia);**

127.15 **Increase support for the Commission for Equality and Against Racial Discrimination (the former Yugoslav Republic of Macedonia);**

127.16 **Take strong action to address hate speech and racial discrimination in access to housing, education and employment of ethnic minorities and intensify awareness-raising training for law enforcement officials (Sierra Leone);**

127.17 **Adopt a law explicitly making racial motivation an aggravating circumstance for crimes and offences (France);**

127.18 **Ensure that reports of the use of excessive force or ill-treatment by law enforcement officials are fully investigated (Australia);**

127.19 **Intensify training and adequate supervision of alleged cases of ill-treatment by the police forces (Cabo Verde);**

127.20 **Take specific steps to ensure prompt and thorough investigations of all allegations of excessive use of force and ill-treatment by law enforcement officials, including police and prison guards (Canada);**

127.21 **Deliver a clear message to all prison managers and staff that all forms of ill-treatment are unacceptable and will result in sanctions (United States of America);**

127.22 **Investigate all ill-treatment and other wrongdoing by law enforcement officials and bring the perpetrators to justice (Islamic Republic of Iran);**

127.23 **Strengthen efforts to ensure that investigations into allegations of ill-treatment of detainees are timely and effective (United States of America);**

127.24 **Investigate all allegations of illegal use of force and ill-treatment by police and security forces, including against migrants, Roma and people of African descent (Uzbekistan);**

127.25 **Strengthen its efforts to protect the basic rights of inmates in vulnerable situations and ensure that inmates have access to and knowledge of the proper complaint mechanisms (Norway);**

127.26 **Continue strengthening the mechanisms to supervise the observance of human rights of the inmates, with the aim of preventing ill-treatment, and handle all complaints of torture and other ill-treatment in a timely manner (Italy);**

127.27 **Expedite judicial processes so that cases stay within the statute of limitations, and improve conditions in penitentiary facilities (Netherlands);**

127.28 **Pursue efforts to combat overcrowding in prisons (France);**

127.29 **Support, through legislation, non-custodial measures as an alternative to imprisonment to reduce overcrowding in prisons (Hungary);**

127.30 **Undertake measures to avoid overcrowding in prisons, including, when appropriate, alternatives of social reintegration instead of imprisonment, as well as avoiding prolonged periods of pretrial detention (Mexico);**

127.31 **Consider increasing the use of non-custodial measures to reduce overcrowding (Norway);**

127.32 **Adopt a national strategy for the improvement of the situation in the prison system (Russian Federation);**

127.33 **Adopt comprehensive measures to address the problem of overcrowding, prevent suicides among inmates and improve health conditions in prisons (Uzbekistan);**

127.34 **Redouble its efforts with a focus on trafficking for the purpose of labour exploitation and special focus on trafficking in children (India);**

127.35 **Ensure the enforcement of the legal framework for the prosecution of human traffickers and appropriate assistance for victims of trafficking in human beings (Republic of Moldova);**

127.36 **Find possibilities to strengthen the oversight of governmental and law-enforcement agencies in the field of trafficking in human beings (Russian Federation);**

127.37 **Further consolidate its efforts to combat trafficking in persons (Malaysia);**

127.38 **Continue to increase community awareness of domestic violence and give particular attention to the needs of families caring for older persons (Australia);**

127.39 **Pay special attention to the situation of domestic violence and its evolution, particularly because of the possible impact of the economic difficulties on families (Costa Rica);**

127.40 **Intensify efforts to make its justice system more efficient (Norway);**

127.41 **Improve the national legislation so as to speed up the judicial process (Russian Federation);**

127.42 **Incorporate the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) into its programme on adequate treatment for women detainees, especially young pregnant women (Thailand);**

127.43 **Continue with actions aimed at safeguarding due process in all judicial instances (Ecuador);**

127.44 **Call upon the competent authorities to ensure the right of access to a lawyer by detained persons (Hungary);**

127.45 **Ensure that human rights violations by police and prison officials, particularly cases of torture and other ill-treatment, are investigated and do not go unpunished (Costa Rica);**

127.46 **Pursue efforts to prevent abuses committed by law enforcement forces and to improve prison conditions (Côte d'Ivoire);**

127.47 **Provide, in accordance with its obligations under international human rights law, the widest possible protection and support for the family, as the natural and fundamental unit of society (Egypt);**

127.48 **Foster and safeguard the family, based upon the stable relationship between a man and a woman, as the natural and fundamental unit of society (Holy See);**

127.49 **Take all necessary measures to guarantee the protection of the family, and lay down an efficient system for families in order to guarantee the enhancement of social cohesion and prevent family disintegration and social fracturing (Mauritania);**

127.50 **Support and protect the family as a fundamental and natural unit of society (Uzbekistan);**

127.51 **Take measures in order to allow the adoption of children by same-sex couples (Brazil);**

127.52 **Decriminalize defamation and place it under the Civil Code in accordance with international standards (Ireland);**

127.53 **Strengthen measures to assist families most in need in the context of the economic and financial crisis (Angola);**

127.54 **Further promote employment (China);**

127.55 **Mitigate the effects of the financial crisis on its efforts to address the issues of child poverty and street children (Malaysia);**

127.56 **Conduct an analysis of the effects of the crisis on human rights, especially on socioeconomic rights, with particular focus on the situation of vulnerable groups such as refugees, migrants, Roma, children, women and elderly people (Turkey);**

127.57 **Remain committed to implementing its human rights obligations and minimizing the impact of the crisis, particularly on the most vulnerable (Ukraine);**

127.58 **Continue protecting vulnerable groups from the consequences of the austerity measures undertaken by the Portuguese Government in the framework of the economic and financial adjustment programme adopted in the past few years (United Arab Emirates);**

127.59 **Establish and implement, based on the performance assessment of the October 2011 Social Emergency Plan, effective economic strategies for sustainable recovery and development that integrate elements of poverty alleviation and protection of human rights (Viet Nam);**

127.60 **Amend the Labour Code so that compulsory arbitration may only be imposed on worker and employer organizations in the case of national or local crisis (United States of America);**

127.61 **Improve its social security system and provide necessary social protection to vulnerable groups (China);**

127.62 **Continue the protection of women, migrants, persons with disabilities and elderly people, groups which are particularly vulnerable in this moment of economic and financial crisis (Holy See);**

127.63 **Adequately protect those social groups particularly vulnerable to budget cuts, as is the case of children and older persons (Cabo Verde);**

127.64 **Take relevant measures in order to prevent the possible negative impacts of the austerity measures on the human rights situation for the most vulnerable groups, particularly children (Republic of Korea);**

127.65 **Continue prioritizing the adoption of relatively low-cost, targeted arrangements for the best protection of children's rights (Italy);**

127.66 **Provide primary and secondary education for all children, irrespective of their legal status (Holy See);**

127.67 **Continue its efforts to ensure that all children enjoy equal rights without discrimination (Ireland);**

127.68 **Pursue efforts to combat illiteracy, working in particular to promote access to school for disadvantaged children (Senegal);**

127.69 **Pursue its efforts to combat illiteracy and establish an effective system for adult education and training (South Africa);**

127.70 **Make ragging of students an offence and conduct awareness-raising campaigns against ragging (France);**

127.71 **Further strengthen activities towards inclusive education of children with disabilities (Montenegro);**

**127.72 Continue its efforts aimed at the adoption of legislative measures to enhance equality and combat the discrimination suffered by Portuguese citizens of African descent (Libya);**

**127.73 Ensure sufficient budgetary allocation for the effective implementation of the National Strategy for the Integration of Roma Communities 2013-2020 (India);**

**127.74 Continue to implement the National Strategy for the Integration of Roma Communities and ensure that it is appropriately and responsibly funded (Slovakia);**

**127.75 Strengthen efforts for the protection of the rights of unaccompanied and separated children seeking asylum (Ecuador);**

**127.76 Continue the measures implemented to ensure the right to water and sanitation within the framework of General Assembly resolution 64/292 (Plurinational State of Bolivia);**

**127.77 Consider the promotion and protection of the rights of peasants and other people working in rural areas (Plurinational State of Bolivia);**

**127.78 Continue to strengthen and provide further resources to the National Commission for the Protection of Children and Young People at Risk in order to protect the rights of neglected and abused children (Timor-Leste);**

**127.79 Strengthen the measures aimed at guaranteeing and reinforcing the rights of older persons (Argentina).**

**128. The recommendations listed below were noted by Portugal:**

**128.1 Consider positively the ratification of the Migrant Workers Convention (Mexico);**

**128.2 Consider ratifying the Migrant Workers Convention (Philippines, Indonesia, Nicaragua, Plurinational State of Bolivia);**

**128.3 Ratify the Migrant Workers Convention (Paraguay, Uruguay, Algeria, Albania);**

**128.4 Ratify the Migrant Convention and the European Charter for Regional or Minority Languages (Islamic Republic of Iran);**

**128.5 Develop a comprehensive national plan for human rights which will permit the fulfilment of the obligations arising from the international instruments to which Portugal is a party (Uruguay).**

**129. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

# Annex

*[English only]*

## Composition of the delegation

The delegation of Portugal was headed by H.E. Mr. Bruno Maçães, Secretary of State for European Affairs and H.E. Ms. Teresa Morais, Secretary of State for Parliamentary Affairs and Equality and composed of the following members:

- H.E. Ambassador Pedro Nuno Bártolo, Permanent Representative, Geneva;
- Mr. Rui Vinhas, Deputy Director-General of External Policy, Ministry of Foreign Affairs;
- Ms. Francisca Souto Moura, Adviser, Cabinet of H.E. the Secretary of State for European Affairs;
- Ms. Teresa Cadavez, Adviser, Cabinet of H.E. the Secretary of State for Parliamentary Affairs and Equality;
- Ms. Maria João Leal, Adviser, Cabinet of the Secretary of State Assistant to the Minister of Economy;
- Mr. Vasco Malta, Legal Adviser, Cabinet of the High Commissioner for Migration;
- Ms. Fátima Duarte, President of the Commission of Citizenship and Gender Equality;
- Mr. Vítor Reis, President of the Institute of Housing and Urban Rehabilitation, Ministry of Environment, Spatial Planning and Energy;
- Mr. Paulo Simões, Director of Services of Prices and Stability, Directorate-General of Economic Activities, , Ministry of Economy;
- Ms. Janine Costa, Director of Coordination of the Cooperation and International Relations, Ministry of Education and Science;
- Mr. Manuel Albano, National Rapporteur on Trafficking in Human Beings, Commission of Citizenship and Gender Equality;
- Ms. Manuela Teixeira Pinto, Counsellor, Permanent Mission, Geneva;
- Ms. Vera Ávila, Head of the Human Rights Division, Ministry of Foreign Affairs;
- Ms. Odete Severino, Head of Unit, International Relations, Office of Strategy, Planning, Ministry of Solidarity, Employment and Social Security;
- Mr. Nuno Cabral, Permanent Mission, Geneva;
- Ms. Catarina Afonso, Desk Officer, Ministry of Foreign Affairs;
- Mr. Bruno Lai, International Relations of the General Directorate of Internal Administration, Ministry of Internal Administration;
- Mr. Eurico Pedrosa, , Directorate-General of Justice Policy, Ministry of Justice;
- Ms. Filipa Pereira, Directorate of the Services of Coordination of International Relations, Directorate-General of Health, Ministry of Health, Ministry of Health;

- Ms. Susana Pereira, Office of Strategy, Planning and Evaluation, Ministry of Solidarity, Employment and Social Security;
- Ms. Sara Romão, Office of Cultural Strategy, Planning and Evaluation, Secretary of State for Culture;
- Ms. Raquel Tavares, Legal Adviser, Office of Documentation and Comparative Law, Prosecutor General's Office;
- Ms. Joana dos Santos, Permanent Mission, Geneva.